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DISTRICT OF COLUMBIA

July 5, 2012

The Honorable Ann Marie Donio, USMJ  
United States District Court,  
District of New Jersey Camden  
Mitchell H. Cohen Federal Courthouse, Room 2010  
1 John F. Gerry Plz., Fourth & Cooper Sts.,  
Camden, NJ 08101

Re: Aboudekika v. Delaware River and Bay Authority, et al.  
Case Number: 10-cv-5830  
Motion for Withdrawal of Appearance Pursuant  
to Civ. Rule. 102.1

Your Honor:

Please accept this letter brief in lieu of a more formal  
brief. Pursuant to Local Civ. Rule 102.1, plaintiff's counsel  
seeks leave of court to grant its withdrawal from representing  
the plaintiff in the above-captioned matter.

**Procedural History**

This case was filed as a five-count complaint in the  
Superior Court of New Jersey, Cape May County, on October 15,  
2010. See Exhibit A. The case was removed on November 9, 2010.  
See Exhibit B. On February 22, 2011, plaintiff filed a notice of  
motion to amend the complaint to include seven counts. See  
Exhibit C. On July 26, 2011, this Court issued an order  
partially granting, partially dismissing, and reserving for  
further briefing outstanding disputes defendants' motion for  
summary judgment. See Exhibit D. Those disputes were decided on  
the Court's Memorandum order dated October 25, 2011. See Exhibit  
E. The Court allowed only two of the plaintiff's seven-count  
amended complaint to stand. The Court's first Scheduling Order  
for discovery was conducted and ordered on December 14, 2011.  
See Exhibit F. Parties have had only one status conference  
regarding case progression, held on May 30, 2012. See Exhibit G.  
Paper discovery has yet to be concluded.

The Honorable Ann Marie Donio, USMJ

July 3, 2012

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**Legal Argument**

Local Civ. Rule 102.1 states the following:  
Unless other counsel is substituted, no attorney may withdraw an appearance except by leave of Court. After a case has been first set for trial, substitution and withdrawal shall not be permitted except by leave of Court.

In this case, no trial date has been set. The parties are in the midst of discovery. Defendants deposed the plaintiff on June 25, 2012. Plaintiff has yet to depose the defendants. This stage of litigation represents the early to middle portion of discovery. It is at this time that plaintiff's counsel is asking to be withdrawn from the case without another attorney to substitute.

Plaintiff's counsel must maintain a duty of confidentiality while indicating that recent developments in his representation of plaintiff create an irreparable incompatibility and conflict between counsel and client. Plaintiff's counsel cannot adequately continue representation and seeks the court's permission to withdraw as counsel.

Thank you for your time and attention in this matter.

Respectfully submitted,

BARRY, CORRADO & GRASSI, P.C.



AARON T. PENROD

cc: William Cook, Esquire - via electronic delivery  
The Honorable Renee Marie Bumb, U.S.D.J.  
Client